

IN THE DRAWINGS

In regard to FIGs. 10 - 11, Applicant has added the legend "PRIOR ART."

A replacement sheet corresponding to FIGs. 10 and 11 is enclosed.

REMARKS

Claims 1 - 5 were pending and under consideration. Claims 6 and 7 were withdrawn from consideration pursuant to an election requirement.

In the Office Action, Claims 1-5 were rejected.

With this Amendment, Claims 1 and 4 were amended. No new matter has been introduced as a result of this amendment.

Accordingly, Claims 1 - 5 are at issue.

I. Objection To The Drawings

As required by the Examiner, Applicant has appropriately corrected FIGs. 10 and 11.

Accordingly, Applicant respectfully requests that this drawing objections be withdrawn.

II. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1-2 and 4 were rejected under 35 U.S.C. § 102(b) as being anticipated by Matsumoto et al. ("Matsumoto") (U.S. Pat. 5,880,503). Although, Applicant respectfully traverses this rejection, Claims 1 and 4 have been amended to clarify the invention and remove any ambiguities that may have been as the basis for these rejections.

Claim is directed to a semiconductor device. The semiconductor comprises a substrate, a first insulation film, a first conductive layer, a second conductive layer, and a second insulation film. The second insulation film comprises a plurality of first opening portions to expose either the first conductive layer or the second conductive layer and one or more second opening portions to expose neither the first conductive layer nor the second conductive layer and expose the first insulation film.

In contrast, although Matsumoto discloses the first opening portions (V8/V8") exposing either the first conductive layer or the second conductive layer, Matsumoto fails to disclose the second opening portions exposing the first insulation film. In fact, in Matsumoto the second opening portions V8' expose another (third) conductive layer 4 located between the first conductive layer and the second conductive layer.

Thus, Claim 1 is allowable over Matsumoto, as well as dependent Claims 2 and 3 for at least the same reasons.

Claim 4 has been amended in a similar as Claim 1, and recites that "a second insulation film formed on upper surfaces of the first conductive layer and the second conductive layer and having a plurality of opening portions to expose one end portion of the first conductive layer or of the second conductive layer or the first insulation film."

Thus, Claim 4 is allowable over Matsumoto, as well as dependent Claim 5 for at least the same reasons. Accordingly, Applicant respectfully requests that these claim rejection under 35 U.S.C. §102 be withdrawn.

III. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 3 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto et al. ("Matsumoto") (U.S. Pat. 5,880,503) as applied to Claims 1 and 4 above, and in view of Lin et al. ("Lin") (U.S. Pat. 6, 649,509). Applicant respectfully traverses this rejection.

Claims 3 and 5 are dependent on Claims 1 and 4, respectively, shown above to be allowable over Matsumoto. Thus, Matsumoto and Lin may not properly be combined to reject Claims 3 and 5. Accordingly, Applicant respectfully requests that these claim rejection under 35 U.S.C. § 103(a) be withdrawn.

IV. Conclusion

In view of the above amendments and remarks, Applicant submits that Claims 1 - 5 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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